

Attorney Docket: 1064/44803
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LYN M. WISE ET AL.

Serial No.: 09/431,888

Group Art Unit: 1646

Filed: NOVEMBER 2, 1999

Examiner: Janet Andres

Title: VASCULAR ENDOTHELIAL GROWTH FACTOR-LIKE
PROTEIN FROM ORF VIRUS BINDS AND ACTIVATES
MAMMALIAN VEGF RECEPTOR-2, AND USES THEREOF

#14
S. J.
8/8/01

REPLY TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office action originally mailed on October 12, 2000 and restarted on November 22, 2000, applicants submit the following remarks and attached Declaration under 37 CFR 1.132. Applicants are respectfully traversing the rejections of claims 1-7 and requesting reconsideration and withdrawal of the rejections.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph, as failing to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention. The four aspects of this rejection are all respectfully traversed.

First, the Office action asserts that while the specification provides objective evidence that ORFV2-VEGF functions as an endothelial cell mitogen, the specification presents no guidance to one skilled in the art that ORFV2-VEGF